

A-71673

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
MICHAEL R. LAYTON ET AL.)
Serial No. 10/633,368)
Filed: July 31, 2003)
For: SHOCK-RESISTANT)
ENCLOSURE)
Examiner: Amy Jo Sterling
Art Unit: 3632
Confirmation No. 5135
February 22, 2008

REQUEST FOR PARTIAL REFUND OF APPEAL FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

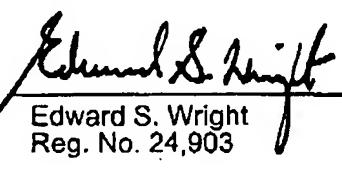
Sir:

Applicant requests a partial refund of the \$510.00 appeal fee which was charged to Deposit Account No. 50-2975 on February 21, 2008. As stated in the transmittal submitted with the Notice of Appeal, the appeal fee (\$500.00) had already been paid in a prior appeal and was charged to the same Deposit Account on August 31, 2006. Copies of the Deposit Account Statements showing the charges are attached.

Please refund the \$500.00 overcharge to Deposit Account 50-2975, Order No.

A-71673.

Respectfully submitted,


Edward S. Wright

Reg. No. 24,903

(650) 330-0830

CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT THIS REQUEST FOR PARTIAL REFUND OF APPEAL FEE IS BEING FORWARDED TO THE PATENT OFFICE FOR FILING VIA FACSIMILE TRANSMISSION TO (571) 273-6500 on February 22, 2008.


EDWARD S. WRIGHT

Deposit Account Statement

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Deposit Account Statement

Requested Statement Month: August 2006
Deposit Account Number: 502975
Name: LAW OFFICES OF EDWARD S WRIGHT
Attention: EDWARD S WRIGHT
Street Address 1: 1100 ALMA STREET
Street Address 2: SUITE 207
City: MENLO PARK
State: CA
Zip: 94025
Country: UNITED STATES

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
08/04	236	2386994	TA-66961-1	7205	\$100.00	\$4,067.04
08/04	237	2386994	TA-66961-1	7208	\$200.00	\$3,867.04
08/04	38	5885319	A-63811	2552	\$1,150.00	\$2,717.04
08/16	2	10946715	A-75067	1814	\$130.00	\$2,587.04
08/16	3	10946715	A-75067	1402	\$500.00	\$2,087.04
08/22	2000	78957417	TA-75172-1	7007	\$550.00	\$1,537.04
08/22	77	E-REPLENISHMENT		9203	-\$7,500.00	\$9,037.04
08/23	140	78681746	TA-75112-1	7001	\$325.00	\$8,712.04
08/23	209	5396144	A-56994	1553	\$3,800.00	\$4,912.04
08/24	2	11286153	A-75080-1	2814	\$65.00	\$4,847.04
08/25	42	10229270	A-71107/ESW	1401	-\$500.00	\$5,347.04
08/31	47	10633368	A-71673/ESW	1401	\$500.00	\$4,847.04
08/31	1916	78964870	TA-57780-17	7007	\$275.00	\$4,572.04

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$4,167.04	\$7,595.00	\$8,000.00	\$4,572.04

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Deposit Account Statement

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Requested Statement Month: February 2008
Deposit Account Number: 502975
Name: LAW OFFICES OF EDWARD S WRIGHT
Attention: EDWARD S WRIGHT
Street Address 1: 1100 ALMA STREET
Street Address 2: SUITE 207
City: MENLO PARK
State: CA
Zip: 94025
Country: UNITED STATES

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
02/01 6723	E-REPLENISHMENT	9203		-\$1,000.00	\$4,885.04
02/04 11364	2589854	TA-24346-38	7205	\$100.00	\$4,785.04
02/04 11365	2589854	TA-24346-38	7208	\$200.00	\$4,585.04
02/05 20026	1451204	TA-40369-11	7205	\$100.00	\$4,485.04
02/05 20029	1451204	TA-40369-11	7203	\$100.00	\$4,385.04
02/05 20028	1451204	TA-40369-11	7206	\$100.00	\$4,285.04
02/05 20027	1451204	TA-40369-11	7201	\$400.00	\$3,885.04
02/05 20631	E-REPLENISHMENT	9203		-\$1,000.00	\$4,885.04
02/06 667	2536137	TA-67549-5	7205	\$100.00	\$4,785.04
02/06 668	2536137	TA-67549-5	7208	\$200.00	\$4,585.04
02/06 19	10946217	A-73425-1	1401	-\$510.00	\$5,095.04
02/07 5823	61026689	P-75227	2005	\$105.00	\$4,990.04
02/12 11053	29295924	FDA-75210-EM	8007	\$20.00	\$4,970.04
02/14 4404	78707631	TA-75123-4	7004	\$150.00	\$4,820.04
02/20 1922	E-REPLENISHMENT	9203		-\$2,500.00	\$7,320.04
02/20 10	11203074	A-75100	1401	\$510.00	\$6,810.04
02/20 14347	77202729	TA-75034-14	7003	\$100.00	\$6,710.04
02/21 5546	6786849	A-68052	2551	\$465.00	\$6,245.04
02/21 11725	2598946	TA-75167-2	7205	\$100.00	\$6,145.04
02/21 11726	2598946	TA-75167-2	7208	\$200.00	\$5,945.04
02/21 36	10633368	A-71673	1401	\$510.00	\$5,435.04

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$3,885.04	\$3,460.00	\$5,010.00	\$5,435.04

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PTO/SB/31 (01-08)

Approved for use through 02/28/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) A-71673								
<p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>02/26/2008</u></p> <p>Signature <i>Edward S. Wright</i></p> <p>Typed or printed name Edward S. Wright</p>										
<table border="1"> <tr> <td colspan="2">In re Application of Michael R. Layton</td> </tr> <tr> <td>Application Number 10/633,368</td> <td>Filed 07/31/2003</td> </tr> <tr> <td colspan="2">For Shock-Resistant Enclosure</td> </tr> <tr> <td>Art Unit 3632</td> <td>Examiner Amy Jo Sterling</td> </tr> </table>			In re Application of Michael R. Layton		Application Number 10/633,368	Filed 07/31/2003	For Shock-Resistant Enclosure		Art Unit 3632	Examiner Amy Jo Sterling
In re Application of Michael R. Layton										
Application Number 10/633,368	Filed 07/31/2003									
For Shock-Resistant Enclosure										
Art Unit 3632	Examiner Amy Jo Sterling									
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p>										
<p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 510</p>										
<p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-2975. I have enclosed a duplicate copy of this sheet.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p>										
<p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>										
<p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number 24,903 (650) 330-0830 Telephone number</p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. 02/20/2008 Date</p>										
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p>										
<p><input type="checkbox"/> *Total of 1 forms are submitted.</p>										

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the burden of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-0189 and select option 2.

02/21/2008 VBU111 08000032 502975 10633368

01 FC:1401 510.00 DA

PAGE 2/16* RCVD AT 2/20/2008 6:01:15 PM [Eastern Standard Time]* SVR:USPTO-EFXRF-6/03* DTM:2738300* CSID:650 330 0831* DURATION (mm:ss):03:06

Adjustment Date: 03/07/2008 SDIRETA1
08731/2006 TL0111 00000039 502975 10633368
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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

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MICHAEL R. LAYTON, ET AL.

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Examiner: Amy Jo Sterling

Group Art Unit: 3632

Confirmation No. 5135

February 20, 2008

BRIEF ON APPEAL

Adjustment date: 03/07/2008
 11/17/2006 LTHOMPS1 00000004 SDIRETA1
 01 FC:1402 500.00 CR 502975 10633368

03/07/2008 SDIRETA1 00000012 502975 10633368
 01 FC:1402 510.00 DA

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